

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ACTUS, LLC, )  
Plaintiff, ) Civil Action No. 2:09-cv-102-TJW  
v. )  
BANK OF AMERICA CORP., et al., )  
Defendants. )

**ENABLE HOLDINGS, INC.'S UNOPPOSED MOTION TO EXTEND TIME TO MOVE,  
ANSWER OR OTHERWISE RESPOND TO PLAINTIFF ACTUS, LLC'S FIRST  
AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

L.

NOW COMES, Defendant Enable Holdings, Inc. (“Enable”) without waiving any defenses described or referred to in Rule 12 F.R.C.P., and moves the Court to extend the time within which Enable is required to move, answer or otherwise respond to Plaintiff’s First Amended Complaint for Patent Infringement to and including July 17, 2009.

III.

Counsel for Plaintiff, Actus, LLC, is not opposed to this request.

III

Enable seeks this extension of time not for delay but for good cause and so that justice may be served.

WHEREFORE, Enable Holdings, Inc. respectfully prays that the time to answer, move or otherwise respond to Actus, LLC's First Amended Complaint for Patent Infringement be extended to and including July 17, 2009.

Dated: June 10, 2009

Respectfully submitted,

/s/ Eric H. Findlay

Eric H. Findlay  
State Bar No. 00789886  
Findlay Craft, LLP  
6760 Old Jacksonville Hwy  
Suite 101  
Tyler, TX 75703  
Telephone: (903) 534-1100  
Facsimile: (903) 534-1137  
[efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)

**Attorney for Defendant Enable Holdings, Inc.**

**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2009, I electronically filed the foregoing filing with the Clerk of Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Eric H. Findlay  
Eric H. Findlay